

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GENERAL ELECTRIC CAPITAL CORPORATION,)	
)	
)	
Plaintiff,)	Case No. 08 C 1199
)	
v.)	Judge Lefkow
)	
JAMES S. KOENIG, an individual, and)	Magistrate Judge Mason
ASSET REAL ESTATE & INVESTMENT)	
COMPANY, a California corporation,)	
)	
Defendants.)	

**DEFENDANTS' AGREED MOTION FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, JAMES S. KOENIG and ASSET REAL ESTATE & INVESTMENT COMPANY (collectively, "Defendants"), through their counsel, Michael R. Turoff and Jeffrey D. Pilgrim (Arnstein & Lehr LLP, *of counsel*), and with the agreement of Plaintiff, GENERAL ELECTRIC CAPITAL CORPORATION, request that the Court extend the time Defendants have to respond to Plaintiff's Complaint by 14 days, to and including June 13, 2008. Defendants also request that the Court reschedule the status conference set for June 10, 2008. In support of this Motion, Defendants state as follows:

1. On February 27, 2008, Plaintiff filed its Complaint against Defendants, and Defendants were served on or about March 3, 2008. Accordingly, Defendants' responsive pleading to Plaintiff's Complaint was originally due to be filed on or before March 24, 2008.

2. By Orders dated March 25, 2008 (Docket No. 15), April 17, 2008 (Docket No. 18), and May 7, 2008 (Docket No. 22), the Court granted Defendants' separate

motions for an extension of time to respond to Plaintiff's Complaint. Defendants' responsive pleading is currently due to be filed by May 30, 2008.

3. In the meantime, the parties have reached an agreement in principle to resolve all or substantial parts of this litigation. The parties are currently in the process of negotiating a written agreement to formalize that agreement.

4. Accordingly, to avoid potentially unnecessary expenditure of judicial resources, time, and expense, Defendants request that the Court extend the time they have to respond to Plaintiff's Complaint by 14 days, to and including June 13, 2008.

5. Counsel for Defendants has consulted with Plaintiff's counsel, and Plaintiff agrees to and has no objection to Defendants' requested extension.

6. The parties are scheduled to appear before the Court on June 10, 2008, at 9:30 a.m., for a status conference. Defendants request that the conference be continued to a date after June 13, 2008.

WHEREFORE, Defendants, JAMES S. KOENIG and ASSET REAL ESTATE & INVESTMENT COMPANY, by agreement of Plaintiff, request that the Court extend the time Defendants have to respond to Plaintiff's Complaint to and including June 13, 2008, and that the status conference be continued accordingly.

JAMES S. KOENIG and ASSET REAL
ESTATE & INVESTMENT COMPANY,

By: s/ Jeffrey D. Pilgrim
One of their Attorneys

Michael R. Turoff (ARDC # 02870258)
Jeffrey D. Pilgrim (ARDC # 6270435)
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CERTIFICATE OF SERVICE

Jeffrey D. Pilgrim, an attorney, certifies that on May 30, 2008, he electronically filed the foregoing **Defendants' Agreed Motion for Extension of Time to Respond to Plaintiff's Complaint** with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

Timothy J. Rivelli
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s/ Jeffrey D. Pilgrim

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